

TELEFACSIMILE LETTER FROM  
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FAX NO.: 1-703-872-9306

FROM: Brett Lovejoy, Reg. No. 42,813

PAGES: 6 + Cover Sheet

DATE: February 10, 2005

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U.S. Patent Application No.: 10/734,893

Confirmation No.: 1037

Application of: Koval *et al.*

Art Unit: 2812

Filed: December 11, 2003

Examiner: Richard A. Booth

For: SIBMICRON CLOSED-FORM  
 JOSEPHSON JUNCTIONS

Attorney Docket No.: 11090-067-999

(706700-999124)

*Message*

**OFFICIAL FILING**

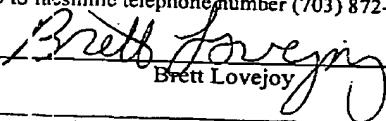
Transmitted herewith is the following document relating to the above-identified patent application:

1. Revocation and Power of Attorney, with copy of Assignment for parent application 10/233,211 executed in counterparts - 6 pages.

It is respectfully requested that this document be entered and made of record for the above-identified patent application.

**CERTIFICATION OF FACSIMILE TRANSMISSION UNDER 37 C.F.R. 1.8(a)**

I hereby certify that this paper is being filed with the United States Patent and Trademark Office by facsimile transmission on February 10, 2005 to facsimile telephone number (703) 872-9306.

  
 Brett Lovejoy

Reg. No. 42,813

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Koval *et al.*

Confirmation No.: 1037

Serial No. 10/734,893

Art Unit: 2826

Filed: December 11, 2003

Examiner: *To be determined*For: SUBMICRON CLOSED-FORM  
JOSEPHSON JUNCTIONSAttorney Docket No.: 706700-999124  
(formerly 11090-067-999)REVOCATION AND POWER OF ATTORNEY OR AUTHORIZATION OF AGENTCommissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

D-Wave Systems, Inc. (assignee) hereby revokes any and all previous powers and appoints:

Practitioners at Customer Number 20583, and Brett Lovejoy, Reg. No. 42,813  
as its/their their attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Please change the correspondence address for the above-identified application to:

The above mentioned Customer Number  
 Practitioners at Customer Number 20583  
 Firm or Individual Name:

Address: Jones Day  
222 East 41st Street  
New York, New York 10017

Telephone: (212) 790-2803

D-Wave Systems, Inc. is the:

Applicant/Inventor  
 Assignee of record of the entire interest. See 37 CFR 3.71.  
*(Statement under 37 CFR 3.73(b) is applicable)*

**Statement Under 37 C.F.R. 3.73(b)**

D-Wave Systems, Inc. states that it is:

the assignee of the entire right, title, and interest; or  
 an assignee of less than the entire right, title and interest.  
The extent (by, percentage) of its ownership interest is %

in the patent application/patent identified above by virtue of either:

An assignment from the inventor(s) of prior application 10/233,211, of which this

Serial No. 10/734,893

JONES DAY DOCKET NO. 706700-999124

patent application/patent identified above is a divisional. A copy of the assignment is attached hereto.

OR

A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

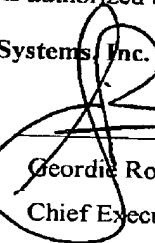
1. From To: The document was recorded in the United States Patent and Trademark Office on at Reel , Frame
2. From: To:  
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3. From: To:  
The document was recorded in the United States Patent and Trademark Office on at Reel , Frame , or for which a copy thereof is attached.

Additional documents in the chain of title are listed on a supplemental sheet.

Copies of assignments or other documents in the chain of title are attached.  
[Note: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

ASSIGNEE: D-Wave Systems, Inc.

Date: May 25/2004Signature: 

Typed Name: Geordie Rose

Position/Title: Chief Executive Officer

Note: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required.

Total of 1 form is submitted.

## ASSIGNMENT

WHEREAS WE, Yuri Koval, citizen of Russia, residing at Egerland-Strasse 8, Erlanger, Germany, Alexey V. Ustinov, citizen of Russia, residing at Peter-Vischer-Ring 24, Effeltick, Germany, and Jeremy P. Hilton, citizen of Russia, residing at 322-2263 Redbud Lane, Vancouver, British Columbia, Canada, ASSIGNORS, are the inventor of the invention in SUBMICRON CLOSED-FORM JOSEPHSON JUNCTION for which we have executed an application for a Patent of the United States

which is executed on  even date herewith or  \_\_\_\_\_

which is identified by Pennie & Edmonds LLP docket no. 11090-016-999  
 which was filed on August 28, 2002, Application No. 10/233,211

I hereby authorize and request my attorney, \_\_\_\_\_, of Pennie & Edmonds LLP, 3300 Hillview Avenue, Palo Alto, California 94304, to insert here in parentheses (Application number \_\_\_\_\_, filed \_\_\_\_\_) the filing date and application number of said application when known.

and WHEREAS, D-Wave Systems, Inc., organized and existing under the laws of British Columbia, and having an office for the transaction of business at 320-1985 West Broadway, Vancouver, British Columbia, V6J 4Y3, Canada, ASSIGNEE is desirous of obtaining our entire right, title and interest in, to and under the said invention and the said application:

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) to us in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, we, the said ASSIGNORS, have sold, assigned transferred and set over, and by these presents do hereby sell, assign, transfer and set over, unto the said ASSIGNEE, its successors, legal representatives and assigns, our entire right, title and interest in, to and under the said invention, and the said United States application and all divisions, renewals and continuations thereof, and all Patents of the United States which may be granted thereon and all reissues and extensions thereof; and all applications for industrial property protection, including, any country or countries foreign to the United States, together with the right to file such applications and the right to claim for the same the priority rights derived from said United States application under the Patent Laws of the United States, the International Convention for the Protection of Industrial Property, or any other international agreement or the domestic laws of the country in which any such application is filed, as may be applicable; and all forms of industrial property protection, including, without limitation, patents, utility models, inventors' certificates and designs which may be granted for said invention in any country or countries foreign to the United States and all extensions, renewals and reissues thereof;

AND WE HEREBY authorize and request the Commissioner of Patents and Trademarks of the United States, and any Official of any country or countries foreign to the United States, whose duty it is to issue patents or other evidence or forms of industrial property protection on applications as aforesaid, to issue the same to the said ASSIGNEE, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

AND WE HEREBY covenant and agree that we have full right to convey the entire interest herein assigned, and that we have not executed, and will not execute, any agreement in conflict herewith.

AND WE HEREBY further covenant and agree that we will communicate to the said ASSIGNEE, its successors, legal representatives and assigns, any facts known to us respecting said invention, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing, reissue and foreign applications, make all rightful oaths, and generally do everything possible to aid the said ASSIGNEE, its successors, legal representatives and assigns, to obtain and enforce proper protection for said invention in all countries.

IN TESTIMONY WHEREOF, said Assignors have executed and delivered this instrument to said Assignee the day and year below written.

Date 29.11, 2002

  
Yuri Koval

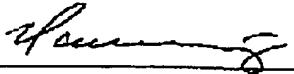
L.S.

Witnessed by:

Name Fistul

Date 29.11.2002

Date 29.11, 2002

  
Alexey V. Ustinov

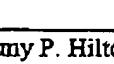
L.S.

Witnessed by:

Name Fistul

Date 29.11.2002

Date \_\_\_\_\_, 2002

  
Jeremy P. Hilton

L.S.

Witnessed by:

Name \_\_\_\_\_

Date \_\_\_\_\_

**ASSIGNMENT**

WHEREAS WE, Yuri Koval, citizen of Russia, residing at Egerland-Strasse 8, Erlangen, Germany, Alexey V. Ustinov, citizen of Russia, residing at Peter-Vischer-Ring 24, Effeltich, Germany, and Jeremy P. Hilton, citizen of Russia, residing at 322-2263 Redbud Lane, Vancouver, British Columbia, Canada, ASSIGNORS, are the inventor of the invention in SUBMICRON CLOSED-FORM JOSEPHSON JUNCTION for which we have executed an application for a Patent of the United States

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AND WE HEREBY authorize and request the Commissioner of Patents and Trademarks of the United States, and any Official of any country or countries foreign to the United States, whose duty it is to issue patents or other evidence or forms of industrial property protection on applications as aforesaid, to issue the same to the said ASSIGNEE, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

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Date \_\_\_\_\_, 2002 \_\_\_\_\_ L.S.  
Yuri Koval

Witnessed by:

Name \_\_\_\_\_

Date \_\_\_\_\_

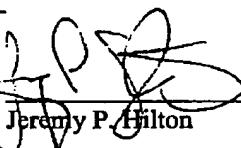
Date \_\_\_\_\_, 2002 \_\_\_\_\_ L.S.  
Alexey V. Ustinov

Witnessed by:

Name \_\_\_\_\_

Date \_\_\_\_\_

Date Dec 2, 2002 \_\_\_\_\_ L.S.

  
Jeremy P. Hilton

Witnessed by:

M. Steininger M. Stinger

Name M. Steininger

Date Dec. 2, 2002